

# EXHIBIT C

## Carl Beckstedt

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**From:** Carl Beckstedt <Carl@beckstedtlaw.com>  
**Sent:** Friday, February 10, 2023 4:05 PM  
**To:** Lee J. Rohn, Esq. (lee@rohnlaw.com); Info; simone.francis@ogletreedeakins.com; Andrew Simpson (asimpson@coralbrief.com)  
**Cc:** Alex Kaplan; Gloria Park  
**Subject:** Petro v. IPOS et al.; Joint Depo Plan  
**Attachments:** Joint Depo Plan (B0427919-2xC4935).docx  
  
**Importance:** High

### EXTERNAL Email

As you all know we are supposed to file a deposition plan with the court today. We have taken the liberty of drafting something for review. If you agree, please add your signature block and any redlines for the groups consideration. Thanks. Carl

PS: once we have this finished I can double space it.

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**IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

PETRO INDUSTRIAL SOLUTIONS, LLC,

Plaintiff,

v.

CASE NO. 1:21-CV-00312

ISLAND PROJECT AND OPERATING  
SERVICES, LLC; VITOL US HOLDING II CO.,  
VITOL VIRGIN ISLANDS CORP.; ANDREW  
CANNING; and OPTIS EUROPE, LTD.,

Defendants.

**JOINT DEPOSITION PLAN**

COME NOW all the parties by their undersigned counsel and pursuant to the Court's Order (Docket No. 136) file this joint deposition plan including dates for the witnesses to be deposed pursuant to Fed. R. Civ. P. 30(b)(6).

WHEREAS, prior to the January 27, 2023 deadline, the parties sent letter notices identifying witnesses to be deposed and proposed availability as ordered; and

WHEREAS, since exchanging the letter notices, certain parties have engaged in various communications via telephone conference, letter writing and email and have exchanged revised dates for depositions, although because attorneys' schedules are fluid obtaining a complete set of dates where all counsel are available based upon their current calendars has been a challenge; and

Now, therefore, the parties propose this plan:

1. Agreed Depositions.

a. The Parties shall take the following depositions on the dates indicated, absent modification by unanimous agreement of all Parties:

- i. Adrian Melendez, Jr., as the designated witness for Plaintiff Petro Industrial Solutions, LLC on April 28, 2023, as well as in his personal capacity.
- ii. Charlotte Horowitz as the designated witness for Vitol Virgin Islands Corp. on May 19, 2023, as well as in her personal capacity.
- iii. A to-be determined designated witness for Vitol US Holdings II Co. on June 15, 2023, provided a witness is available. (A Notice with topics is required in order to determine the witness to be presented.)

- iv. Chetram Persaud on May 22, 2023
    - v. Tim Kologinczak on May 23, 2023
    - vi. Sebastian Moretti on May 25, 2023
  - b. The party who has requested the foregoing depositions shall serve the notice of deposition on or before February 21, 2023.
  - c. Any other party may cross-notice the deposition on or before February 24, 2023.
2. Other Depositions
- a. The Parties shall continue to meet and confer through February 15, 2023, to determine if counsel can agree on and confirm deposition dates within the current June 16, 2023 deadline for the additional individual party witnesses, 30(b)(6), and third-party witnesses identified in the parties' respective lists of intended deponents.
3. On or before February 21, 2023, all depositions that any party intends to take of any witness employed by a party or of a witness otherwise represented by counsel in this case shall be noticed by the parties.
- a. To the extent additional deponents and dates have been agreed upon as required under Section 2 of this order, the party requesting the deposition shall notice the deposition(s) for the agreed date and time.
  - b. To the extent dates are not agreed upon for the witnesses listed in Section 2, the party requesting the deposition shall notice the deposition(s) for a date and time on or before June 16, 2023, preferably on a date and time that most counsel are available.
  - c. Any deposition noticed herein may be cross-noticed by a party on or before February 24, 2023.
4. Only one deponent may be scheduled per day, unless otherwise agreed by all parties.
5. With respect to witnesses and companies not in the control of any party (i.e., third parties), the party seeking the deposition of such witness shall issue the process required to obtain the deposition (whether Fed. R. Civ. P. 45 subpoena or other compulsory process) no later than March 1, 2023. The parties shall then confer with the receiving party or, where applicable, their counsel regarding the third party witnesses' availability. The parties shall endeavor to accommodate the third parties' availability and agree to a mutually available deposition date and time. In such circumstances, the party originally noticing the third-party deposition shall serve an amended notice.
6. To the extent a deposition has been unilaterally noticed for a date that any party's counsel is not currently available, the parties shall meet and confer up to three weeks before the deposition is scheduled in order to see if the conflicting counsel's schedule(s) has changed such that there is no longer a conflict. If a conflict still exists three weeks prior to the date of the deposition and counsel cannot reach agreement on the taking of the deposition, then a party may move to quash and/or reschedule the deposition. Counsel are admonished that they should endeavor to take all steps to accommodate the deposition as noticed, including using other lawyers to attend the deposition, and within the June 16, 2023 deadline.

Respectfully submitted,

**BECKSTEDT & KUCZYNSKI LLP**

Attorneys for Defendants Vitol US Holding II, Co.  
and Vitol Virgin Islands Corp.

Dated: February 16, 2023

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**CERTIFICATE OF SERVICE**

THIS IS TO CERTIFY that on this \_\_\_\_\_, 2023, I electronically filed the foregoing with the Clerk of the Court using the electronic filing system, which will send a notification of such filing to the following:

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